

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-19 are currently pending in this application, Claims 1-18 having been amended and Claim 19 having been added by the present amendment.

In the outstanding Office Action, Claims 1, 5, 10, and 14 were rejected under 35 U.S.C. §103(a) as unpatentable over Hvostov et al. (U.S. Patent Publication No. 2003/0039211 A1, hereinafter Hvostov) in view of Applicants' Admitted Art; Claims 2, 3, 11, and 12 were rejected under 5 U.S.C. §103(a) as unpatentable over Hvostov in view of Applicants' Admitted Art, and further in view of Foltzer (U.S. Patent No. 6,567,579); and Claims 4, 6-9, 13, and 15-18 were objected to for depending from a rejected base claim, but were otherwise indicated as allowable.

Claims 1-18 are amended to clarify that 35 U.S.C. §112, 6th paragraph does not apply and to more clearly describe and distinctly claim Applicants' invention. Support for new Claim 19 is found in original Claim 1, for example, and therefore no new matter is added.

It is respectfully requested that the references submitted in the IDS filed August 31, 2001 be considered on the record, and that the Examiner send the undersigned a checked off PTO-1449 form to that effect. In addition, it is respectfully requested that acknowledgement be made in the next Office communication of the request for foreign priority and the submission of the priority document.

With respect to the rejections of Claims 1-3, 5, 10-12, and 14 as unpatentable under 35 U.S.C. §103(a) over combinations of references that include Hvostov, Applicants note that Hvostov has a filing date of August 23, 2001, which is later than the foreign priority date of September 1, 2000. Therefore, to perfect priority and to overcome all the 103 rejections, enclosed is an English translation of the original Japanese application 2000-265928, filed on

Application No. 09/942,560
Reply to Office Action of December 14, 2004

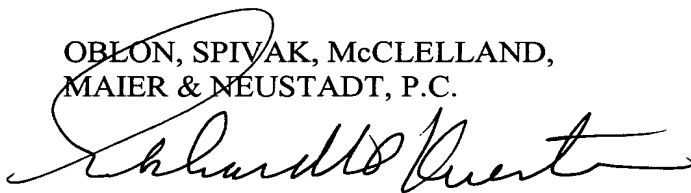
September 1, 2000, and a statement that the translation of the certified copy is accurate.

Therefore, Hvostov is not prior art.

Consequently, in view of the above amendments and comments, it is respectfully submitted that the outstanding rejection is traversed and that the pending claims are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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